REMARKS

35 U.S.C. 112

Claims 1, 2, and 36-41 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

The Examiner asks "How are the templates used to accomplish functionality that is particularly relevant to these applications?" and states "Applicant does not clearly set forth any limitations that make the recited applications into more than mere intended use." [Office Action, page 3.]

The Examiner then provides some guidance as to the manner in which the claims can be made definite, stating:

"What steps are expressly performed as part of gap analysis and reengineering of the customer application...? These steps should be expressly recited to clarify the metes and bounds of these features." [Office Action, pages 3-4.]

Applicants have amended each of the independent claims to more clearly recite the steps performed, more precisely

END919990117US2   30   S/N 10/808,834

BEST AVAILABLE COPY

indicating the functionality and the metes and bounds of the features claimed.

35 U.S.C. 103

Claims 1, 2, and 36-41 have been rejected under 35 U.S.C. 103(a) over Gundewar et al. (U.S. Patent No. 6,381,610, hereinafter Gundewar.)

As applicant's interpret Gundwar, a system is described that allows one to automatically design a project plan for an engineering or software design project. The designer selects tasks and work products from a list of templates. These templates are not defined by Gundwar, and it appears that the designer would have to develop them before they could be used. Based on this, Gudewar appears to be a system that, if enough templates are designed, would allow the user to build a generalized project plan that would be useable on projects, generally. Gundewar does not address how the project would reengineer any specific piece of the customer's processes.

With respect to applicant's invention, like Gundewar, servers, laptops, and databases are used. However,

END919990117US2   31   S/N 10/808,834

applicant's invention differs from Gundewar in several key aspects. First, unlike Gundewar, applicants do not provide a generalized design that requires the designer to build templates. Second, unlike Gundewar, applicants provide a reengineering tool that defines how to analyze the specific conditions that exist with a customer and conduct a gap analysis between the customer and the IBM model. Third, applicants then design a very specific solution uniquely tailored to the situation - that is, the customer requirements as revealed in the gap analysis. Gundewar provides no specificity, customization, or analysis of the situation.

The Examiner asserts that Gundewar may be modified to provide a general procurement and accounts payable application, including task templates, etc. [Office Action, page 10]. However, as the claims are now presented, applicants assert that specific requirements of the claims are not taught nor suggested by Gundewar.

SUMMARY AND CONCLUSION

Applicants urge that the above amendments be entered and the case passed to issue with claims 1-2, and 36-41.

END919990117US2   32   S/N   10/808,834

The Application is believed to be in condition for allowance and such action by the Examiner is urged. Should the Examiner determine that one/more of the claims are not in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in accordance with M.P.E.P. Sections 707.02(j) and 707.03 in order that allowable claims can be presented, thereby placing the Application in condition for allowance without further proceedings being necessary.

Sincerely,

R. F. BARNARD, ET AL.

By

Shelley M Beckstrand
Reg. No. 24,886

Date: 24 Apr 2006

Shelley M Beckstrand, P.C.
Patent Attorney
314 Main Street
Owego, NY 13827

Phone: (607) 687-9913
Fax: (607) 687-7848

END919990117US2   33   S/N 10/808,834